


Town of Hampton



INTEROFFICE COMMUNICATION

Date: March 4, 2022

To: Conservation Commission

From: Kristina Ostman, Administrative Assistant 

RE: RSA 41:14-a Proceedings – Release of Town owned Deed Restrictions on formerly Leased Land

1. 843 Ocean Blvd Map 183, Lot 55

The Selectmen's processing of this request will necessarily follow the RSA 41:14-a process, which requires recommendations from the Planning Board and the Conservation Commission prior to the two public hearings they must hold for the amending or releasing of said deed restriction.

Petitioner's request: Removal of Deed restriction #3 "No Fences may be erected upon said premises other than ornamental fences of no than a 3-foot height"

Petitioner wishes to enclose right back corner of yard with a privacy fence not to exceed five (5) feet in height.

Please review this matter and inform the Board of Selectmen if your respective Board is in favor of it, or not, so that the Selectmen may begin the process.

Request for Release of Deed Restriction #3

J&J Realty Trust, Joy A & John J Merrill Trustees, hereon referred to as petitioner, petitions the board for the removal of deed restriction #3,"No fences may be erected upon said premises other than ornamental fences of no more than a three foot height." Petitioner wishes to enclose the right back corner of the yard with a privacy fence not to exceed five(5) feet in height. This fence would have a gate on one side to access the side yard. Petitioner has included a diagram showing the house with the proposed fence and the gate.

Respectfully Submitted

J&J Realty Trust

Joy A and John J Merrill Trustees

843 Ocean Blvd

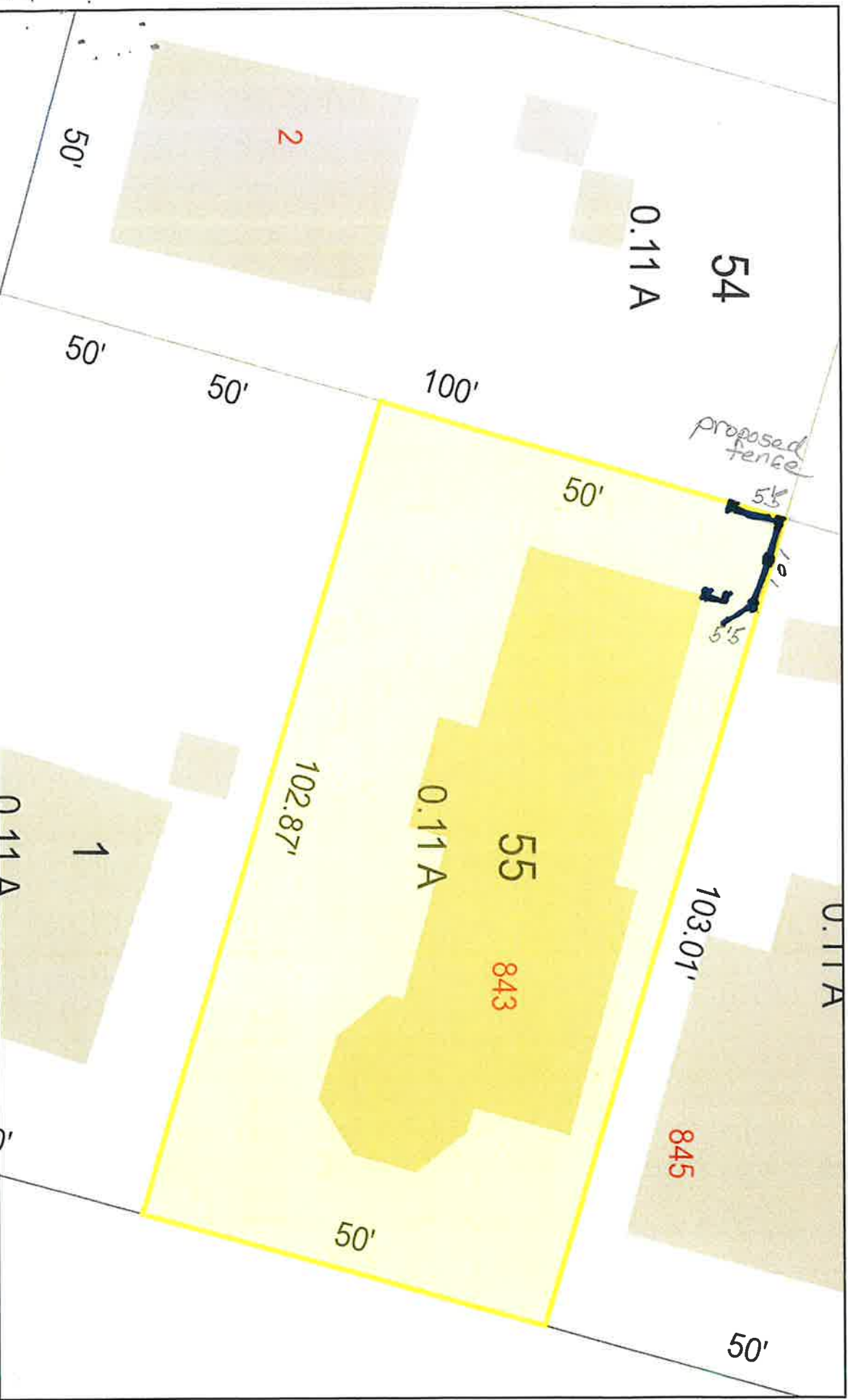
Hampton, NH 03843

Joy A. Merrill
John J. Merrill



CAI Technologies

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12th

Gates



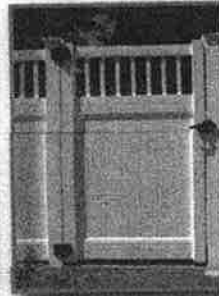
Cambridge
(Reverse Side)



Sunrail with Victorian Decco Gates
(Scalloped and Reverse Scalloped Available)



Cambridge w/ Lattice Double



Sunrail w/ Victorian Decco

*Proposed
fence
style*

BK2534 P1505

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS that, The Town of Hampton, a municipal corporation organized under the laws of the State of New Hampshire and located in Rockingham County, for consideration paid, grants to Richard F. Pierce and Mary J. Pierce (husband and wife) of 34 Souhegan Drive, Merrimack, County of Hillsborough and State of New Hampshire, as joint tenants with right of survivorship and not as tenants in common with QUITCLAIM COVENANTS;

The following described parcel of land located in said Town of Hampton, and said County of Rockingham, known as Lot Number 429, Block 13 on Plan of Leased Lots dated January, 1983 by Parker Survey Associates, Inc. recorded at Rockingham County Registry of Deeds (Ref: D-11832), being also shown on said Town's Tax Assessor's records as Map 125, Lot Number 429 and more particularly described as follows:

Beginning at a point at the Northeasterly corner of Lot 428 on the Westerly side of Ocean Boulevard; thence proceeding N 15° 56' 40" E by and along said Ocean Boulevard a distance of 50.00' to a point at the corner of the conveyed premises and Lot 430 as shown on said plans; thence proceeding N 74° 11' 30" W along said Lot 430 a distance of 103.01' to a point at the corner of the conveyed premises, and said Lot 430 and Lot 420 on said plan; thence proceeding S 15° 47' 23" W along said Lot 420 a distance of 50.00' to a point at the corner of the conveyed premises and said Lot 428, said point also being on the Easterly sideline of said Lot 420; thence proceeding S 74° 11' 30" E along said Lot 428 a distance of 102.88' to the point begun at.

Meaning and intending to convey the same premises as shown on said plan and as described in a certain lease from Grantor to Grantees dated June 13, 1977.

Subject, in perpetuity, to the following covenants and restrictions:

1. The Grantees agree that the premises shall be subject to the more restrictive of the terms of this deed or the applicable provisions of the Ordinances, laws, and regulations of the Town of Hampton.

FEB 27 2 35 PM '85

Rockingham County
Registry of Deeds

07/2/87

2. The Grantees agree that no trade or occupation shall be conducted, or suffered to be conducted, on the conveyed premises or use made thereof which would be unlawful, improper, noisy or offensive, or contrary to any law or ordinance in force in the Town of Hampton.

3. No fences may be erected upon said premises other than ornamental fences of no more than a three-foot height.

4. The only structures permitted to be erected or placed upon said lot shall be one single-family dwelling, containing no more than four bedrooms, with no more than a two-car garage. The Grantee will not erect any buildings upon the premises within seven (7) feet of any boundary line, nor shall the premises be subdivided. All outbuildings and sheds, other than stables or garages, shall be connected with and attached to the dwelling house, stable or garage on the lot.

5. Subject, further, to the right of the Town of Hampton to maintain easements or rights-of-way above, across and/or under the premises, and to the right of the Town of Hampton to enter upon and use a strip of land of sufficient width for the installation and maintenance of storm and sanitary sewer mains.

6. This conveyance is subject to the rights, if any, of the Exeter & Hampton Electric Company, a corporation duly established by law with its principal place of business in Exeter, in said County of Rockingham, to maintain poles, wires, crossarms, supporting fixtures and appurtenances on, over or across the subject premises as set forth in a certain agreement between said Town of Hampton and said Exeter & Hampton Electric Company dated May 10, 1946, and recorded in Hampton Town Records, and is subject to all other existing easements or easements of record.

7. The conveyed premises shall be subject to all properly assessed taxes, municipal and otherwise. The Grantees, their heirs, administrators, successors, assigns, and legal representatives shall, likewise, be obligated to pay all assessments, betterments, sewer-use fees and all other lawfully assessed fees levied upon the conveyed premises.

The Grantor further reserves the perpetual right to pass and repass over the subject parcel in order to maintain, repair, and replace all pipes, wires, posts, and other items and equipment, relating to utilities services furnished, owned or supervised by the Grantor. The Grantor shall, at all times, exercise its said rights in a reasonable manner. At its own expense, the Grantor shall return the subject premises to the same condition as they were in prior to the Grantor's exercise of its rights under this reservation.

RK2534 P1507

In addition, the Town of Hampton specifically reserves from the above conveyance any public rights of way on or under any existing sidewalks, rights of way, highways, sewer lines and basins, utility easements, water lines, drainage easements and/or pipes and any other public improvements together with the right to improve, maintain and expand as reasonably required the above said betterments, easements, public rights of way consistent with the overall needs of the Town of Hampton, now and in the future.

All restrictions and reservations herein are binding on the Grantees, their heirs, administrators, successors, assigns, and legal representatives.

Grantee shall be responsible for all real estate taxes for the property conveyed herein as of and after the date of this deed.

IN WITNESS WHEREOF, the said Town of Hampton, on this 25TH day of FEB, 1985 has caused this deed to be duly executed by its Selectmen, thereunto duly authorized by vote of said Town of Hampton dated May 11, 1982.

Witness

Ashton J. Norton
Ashton J. Norton, Selectman

Witness

TO THE SELECTMEN

Robert V. Lessard
Robert V. Lessard, Selectman

Witness

John R. Walker
John R. Walker, Selectman

Witness

William J. Massey
William J. Massey, Selectman

Witness

Glyn P. Eastman
Glyn P. Eastman, Selectman

BK2534 P1508

Dated: 2-25-85

THE STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

Personally appeared the above named Ashton J. Norton, Robert V. Lessard, John R. Walker, William J. Massey, and ~~Glyn P. Eastman~~ Selectmen of the Town of Hampton and acknowledged that they executed the same for the purposes contained therein.

Before me,

Philip G. Richards
Notary Public/Justice of the Peace

This conveyance is exempt from transfer tax pursuant to NH RSA 78-B:2IX noncontractual transfers.

QUITCLAIM DEED


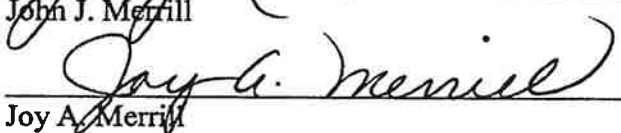
KNOW ALL MEN BY THESE PRESENTS, That John J. Merrill and Joy A. Merrill, husband and wife, of 11 Sunny Meadow Road, Atkinson, New Hampshire, 03811, for consideration paid, grant to John J. Merrill and Joy A. Merrill, Trustees of the J&J Realty Trust, of 11 Sunny Meadow Road, Atkinson, New Hampshire, 03811, with QUITCLAIM COVENANTS, the following described property:

A certain tract or parcel of land, with the buildings thereon, situated in Hampton, Rockingham County, State of New Hampshire, being more particularly described on Exhibit A attached hereto and incorporated herein by reference.

Meaning and intending to describe and convey the same premises conveyed to the within grantors by Warranty Deed of Richard J. Aucoin, dated March 27, 1998, and recorded in the Rockingham County Registry of Deeds, Book 3280, Page 0545.

THIS IS NOT HOMESTEAD PROPERTY OF THE WITHIN GRANTORS.

Executed this 25th day of July, 2001.


John J. Merrill

Joy A. Merrill

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

July 25, 2001

Personally appeared the above, John J. Merrill and Joy A. Merrill, known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained.

Before Me, 
Notary Public/Justice of the Peace

My Commission expires:

KAREN F. KELLEY, Notary Public
My Commission Expires January 9, 2002



2001 JUL 27 PM 12:09

054684

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

Exhibit A

A certain tract or parcel of land, with the buildings thereon, situated in the Town of Hampton, County of Rockingham, State of New Hampshire, being Lot 429, Block 13 on plan entitled "Plan of Leased Lots for the Town of Hampton in Hampton, N.H." dated January 1983, prepared by Parker Survey Associates, Inc., recorded in the Rockingham County Registry of Deeds as Plan #D-11832 and more particularly bounded and described as follows:

Beginning at a point at the northeasterly corner of Lot 428 on the westerly side of Ocean Boulevard; thence proceeding North $15^{\circ} 56' 40''$ East by and along said Ocean Boulevard a distance of 50.00 feet to a point at the corner of the said lot and Lot 430 on said plan; thence proceeding North $74^{\circ} 11' 30''$ West along said Lot 430 a distance of 103.01 feet to a point at the corner of the said lot; Lot 430 and Lot 420 on said plan; thence proceeding South $15^{\circ} 47' 23''$ West along said Lot 420 a distance of 50.00 feet to a point at the corner of said lot and Lot 428, said point also being on the easterly sideline of Lot 420; thence proceeding South $74^{\circ} 11' 30''$ East along said Lot 428 a distance of 102.88 feet to the point of beginning.

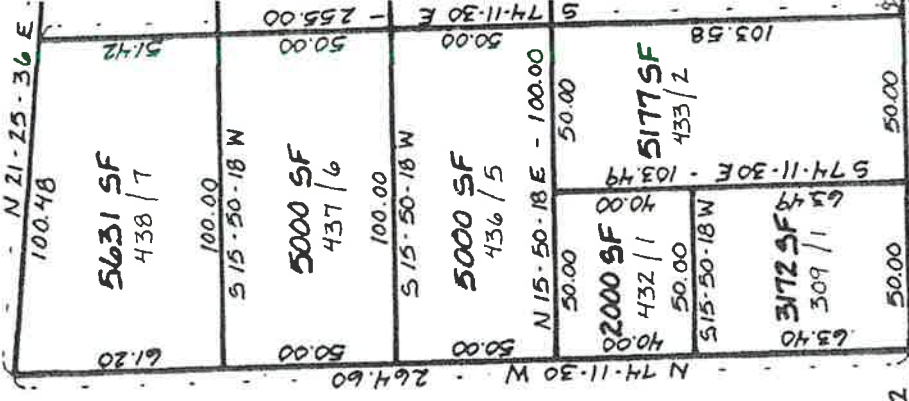
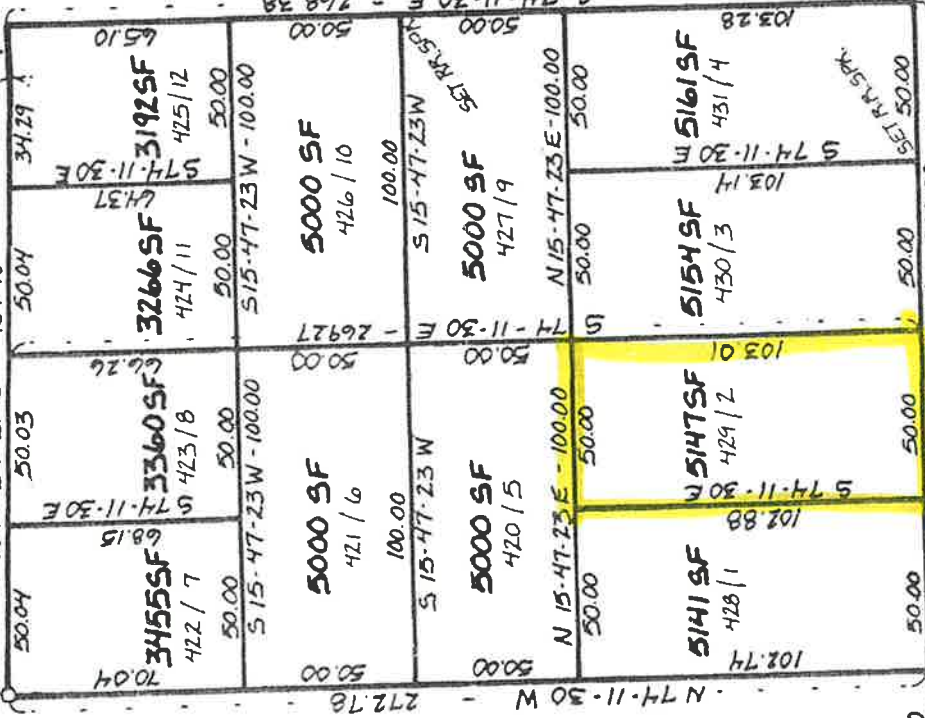
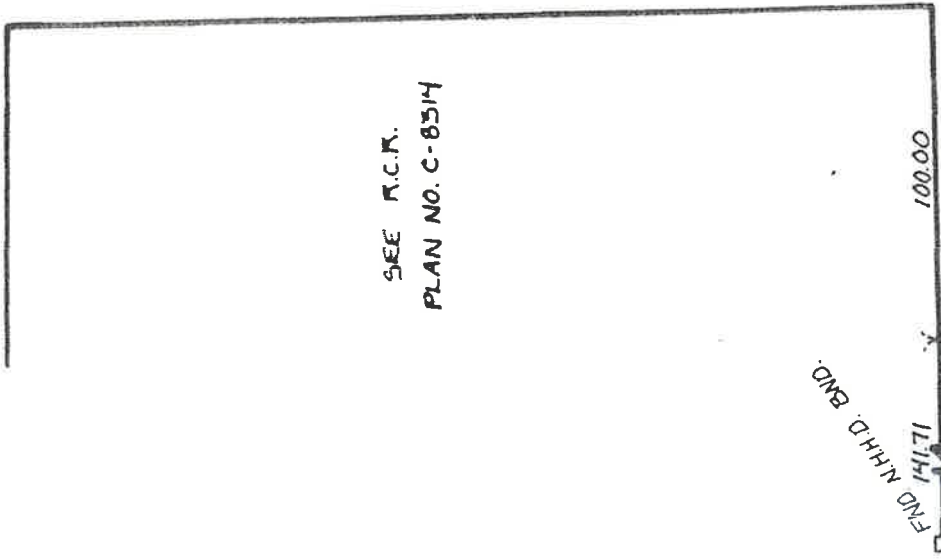
Subject, in perpetuity, to the covenants and restrictions contained in Warranty Deed dated March 31, 1989 and recorded at Book 2787, Page 309.

All restrictions and reservations contained in Book 2787, Page 309 are binding on the Grantee, his heirs, administrators, successors, assigns, and legal representatives.

✓ 15.86
N08-76-15E

GET GRAN BND

SEE R.C.K.
PLAN NO. C-8314



BLOCK 13

BLOCK

OCEAN

(Rou1

11X

CURRENT OWNER				CURRENT ASSESSMENT															
J & J REALTY TRUST MEMPHIS, JOY A & JOHN J PO BOX 1312				Description				Code	Assessed	Appraised	2215 HAMPTON, NH								
TOPO				1 Level				1	All Public	1	Paved	1	Urban	RESIDENTL RES LAND	1010 1010	503,800 580,400	503,800 580,400		
SUPPLEMENTAL DATA				Alt Pct ID 0183 0055 0001															
OLD DATA PRE P																			
TAX CLAS 1000																			
GIS ID 183-0550-0000				Assoc Pct#															

RECORD OF OWNERSHIP					PREVIOUS ASSESSMENTS (HISTORY)											
	BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	Year		Code	Assessed	Year	Code	Assessed V	Year	Code	Assesse
J & J REALTY TRUST	3618	2235	07-27-2001	U	I	0	1A									
MERRILL, JOY A/JOHN J	3280	0545	03-31-1998	Q	I	295,000		2021	1010	503,300	2021	1010	503,300	2020	1010	503,3
AUCCOIN, RICHARD J	2889	0330	08-30-1991	Q	I	180,000			1010	580,400		1010	580,400		1010	580,4
ZOHDI, HAMID R/PETER	2787	0309	04-04-1989	Q	I	225,000										
MARQUIS, GEORGE	2649	0625	12-16-1986	Q	I	240,000										
							Total	1,083,700		Total		1,083,700		Total		1,083,7

EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor
Year	Code	Description	Amount	Code	Description	Number	Amount	

ASSESSING NEIGHBORHOOD					8,5
Nbhd	Nbhd Name	B	Tracing	Batch	Appraised Xt (B) Value (Bldg)
0001					Appraised Ob (B) Value (Bldg)
NOTES					Appraised Land Value (Bldg)
					580.4

LT:GREY/WHITE 03:DEMO AND BUILD NEW BATHS:1-4PC;2-3PC;1-2PC EXTRA PC:BAR SINK-FAM,RM, UC:ARTIGHT;04:COMPLETED PULL DOWN TO ATTIC	WOOD SHINGLES FUNC= GAMBREL ROOF 07/20/11::CONFIRM MEASURE, ADJ SKETCH PDST A - 2016	Special Land Value Total Appraised Parcel Value Valuation Method	1,084.2
Total Appraised Parcel Value			1,084.2

BUILDING PERMIT RECORD										VISIT / CHANGE HISTORY				
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpose/Result
02-10-1-226	10-02-2002	NC	New Construct	661,500				SINGL FAM/FOUND/EL/PLM	07-18-2016	BC			41	HEARING CHANGE DE
									07-20-2011	PM			02	MEASURE ONLY
									07-26-2010	VA			15	RES FIELD REVIEW
									09-15-2008	KS			01	M & L
									09-03-2008	KS			02	MEASURE ONLY
									02-03-2004	04			PU	
									03-06-2003	03			NH	

LAND LINE VALUATION SECTION															
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Val
1	1010	SINGLE FAMILY	RA		5,147	25.06	3.00000	O	1.00	90	1.500		1.0000	112.77	580.2
Total Card Land Units 0.118					AC	Parcel Total Land Area 0.118					Total Land Value 580.2				

CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style	07	Modern/Contemp			
Model	01	Residential			
Grade:	09	Very Good			
Stories:	2	2 Stories			
Occupancy	1				
Exterior Wall 1	14	Wood Shingle			
Exterior Wall 2	07	Gambrel			
Roof Structure:	03	Asph/F Gls/Cmp			
Interior Wall 1	05	Drywall/Sheet			
Interior Wall 2					
Interior Fir 1	12	Hardwood			
Interior Fir 2					
Heat Fuel	03	Gas			
Heat Type:	05	Hot Water			
AC Type:	03	Central			
Total Bedrooms:	03	3 Bedrooms			
Total Bthrms:	3				
Total Half Baths	1				
Total Xtra Fixts	1				
Total Rooms:	7				
Bath Style:	03	Luxurious			
Kitchen Style:	03	Luxurious			
MHP					

CONDO DATA

Parcel Id		C		B		Owne	0.0
Adjust Type						Factor%	
Condo Fir							
Condo Unit							

COST / MARKET VALUATION

Building Value New	556,067
Base Rate	100.00
Effective Base Rate	181.25
Other Net Adjustments	39,017
Year Built	2003
Effective Year Built	2008
Depreciation Code	A
Remodel Rating	
Year Remodeled	11
Depreciation %	0
Functional Obsol	0
External Obsol	1
Trend Factor	
Condition	
Condition %	89
Percent Good	
RCNLD	494,900
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Bld	Cond.	Cd	% Gd	Grade	Grade Adj.	Appr. Value
FPL5	2 ST-CUSTO	B	1	10000.00	2003			89		0.00	8,900

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,570	1,570	1,570	168.53	264,592
CRL	Crawl Space	0	60	0	0.00	0
FBM	Basement, Finished	0	238	95	67.27	16,010
FOP	Porch, Open, Framed	0	285	86	50.85	14,494
FUS	Upper Story, Finished	1,008	1,008	1,008	168.53	169,878
UBM	Basement, Unfinished	0	884	177	33.74	29,830
UGR	Garage, Under	0	528	132	42.13	22,246

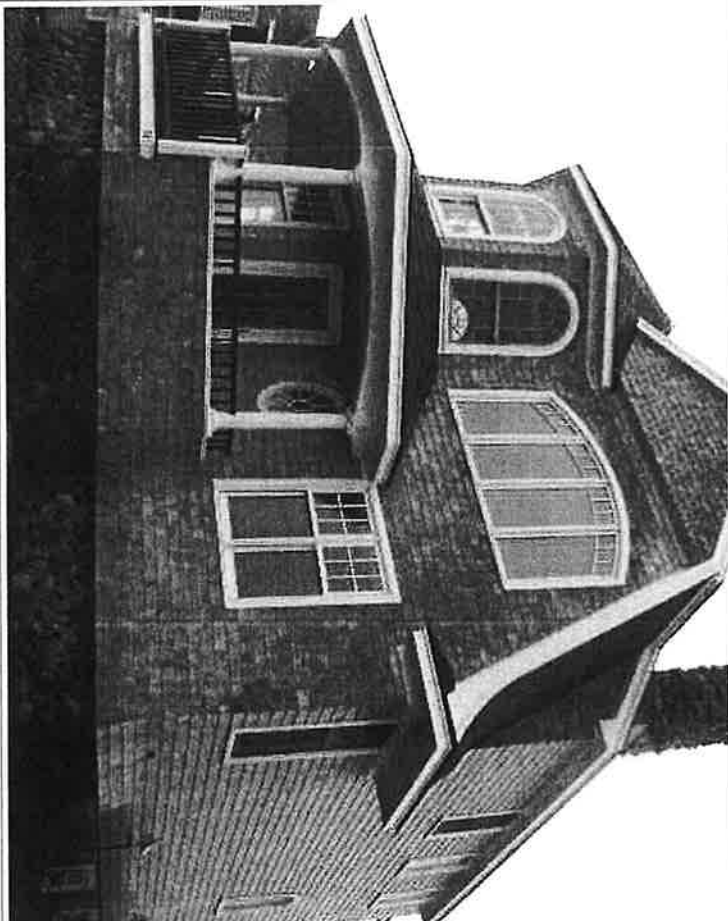
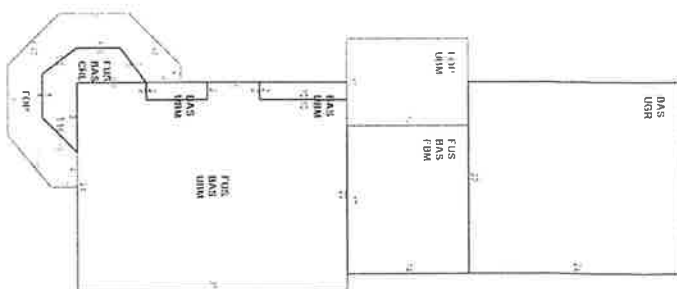
Ttl Gross Liv / Lease Area

2,578

4,573

3,068

517,050





Hampton, NH

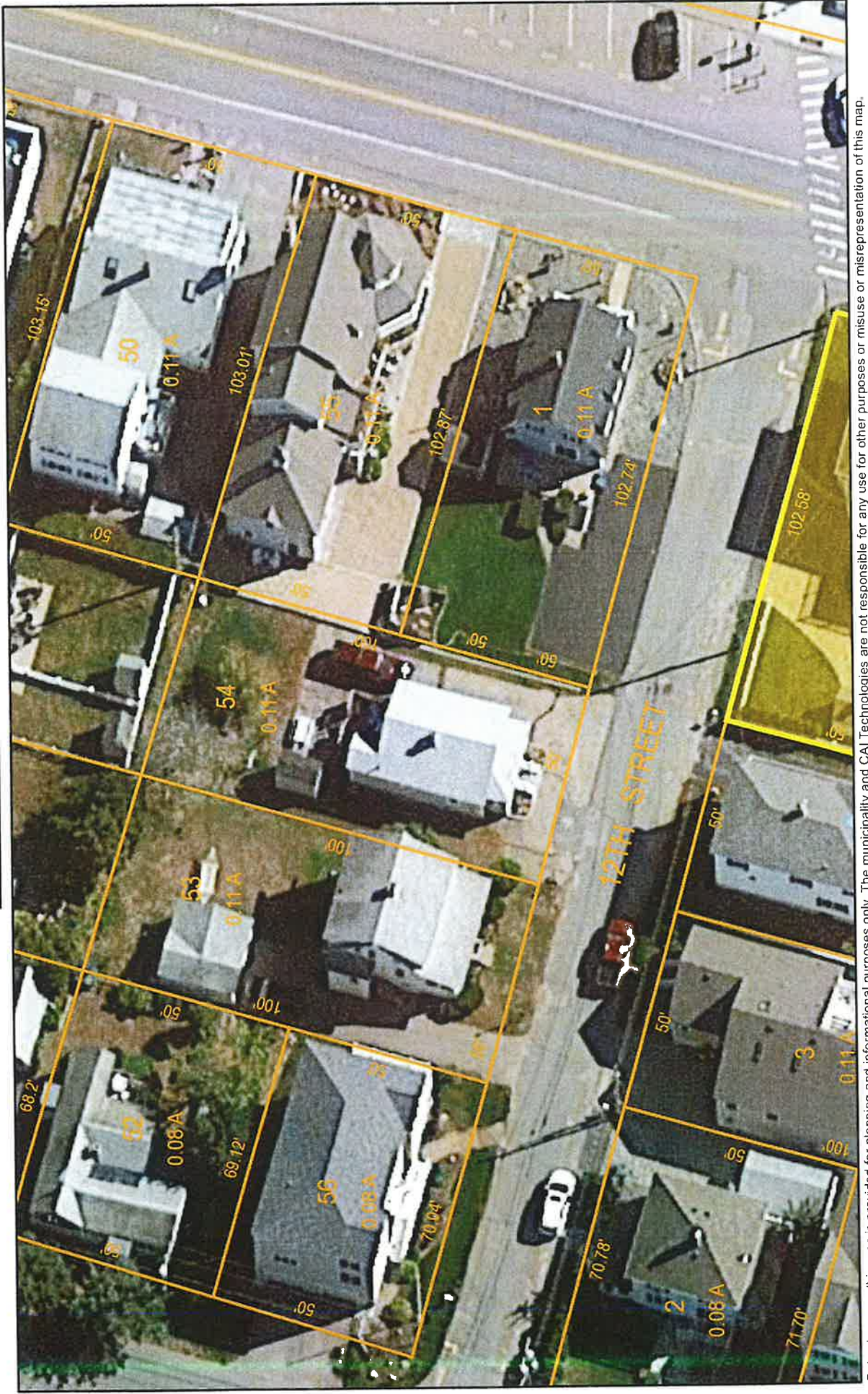


March 2, 2022

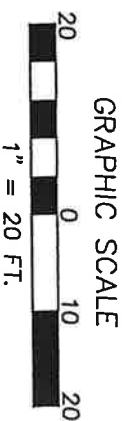
1 inch = 34 Feet



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PLAT OF LAND

RECORD OWNER

N/F JACK & JOY MERRILL
P.O. BOX 34
ATKINSON, NH 03811
BK 3618 PG 2236

IN
HAMPTON, NH
SHOWING
EXISTING DWELLING
AT
843 OCEAN BOULEVARD

PLAN REFERENCES

D-11832

NOTE: HIGH WATER DELINEATION BY
NH SOIL CONSULTANTS, INC.
IN JUNE OF 2002.
1 SIMON LANE
NEWMARKET, NH 03857.

KINGS HIGHWAY
12TH STREET
272.78'
S 74°11'30" E
0.6'
2.0'

DETAIL
N.T.S.

183
54

183
47

N/F
MARION H. WRIGHT
33 ALPINE ST
N. BILLERICA, MA 01862

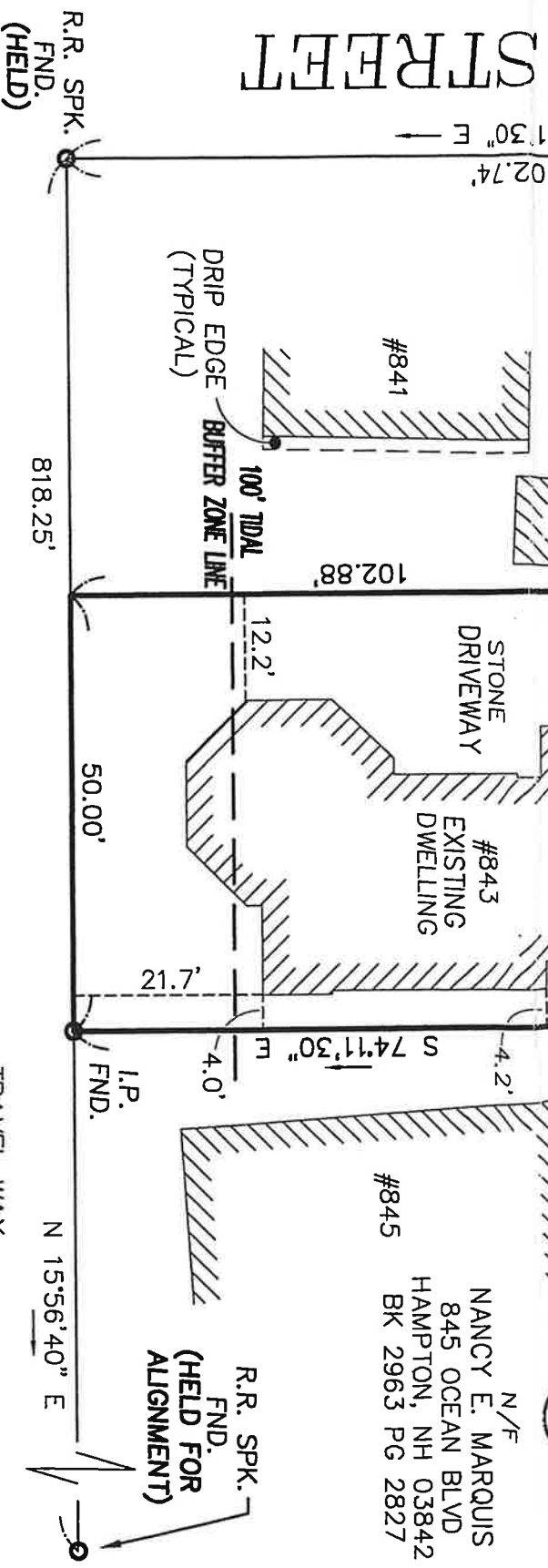
N/F
GERALD PROULX
1 THIRTEENTH STREET
HAMPTON, NH 03842
BK 3471 PG 1332

ZONING DISTRICT

RESIDENCE A

SETBACK REQUIREMENTS
FRONT 20'
SIDE 15'
REAR 10'

N/F
NANCY E. MARQUIS
845 OCEAN BLVD
HAMPTON, NH 03842
BK 2963 PG 2827



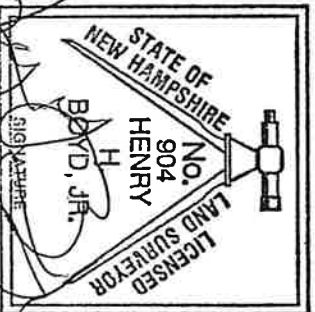
I CERTIFY:
THAT THIS ACTUAL SURVEY WAS MADE
ON THE GROUND AND THAT THE
STRUCTURES ARE LOCATED AS SHOWN.

OCEAN BOULEVARD
(TYPICAL)
TRAVEL WAY

LEGEND

- | | | |
|---|-----------|----------------|
| ▣ | C.B. | CONCRETE BOUND |
| ▣ | S.B. | STONE BOUND |
| ● | D.H. | DRILL HOLE |
| ● | PK | MASONRY NAIL |
| ● | I.P. | IRON PIPE |
| ● | I ROD | IRON ROD |
| ● | R.R. SPK. | RAILROAD SPIKE |
| ● | FND. | FOUND |
| ● | N/FND. | NOT FOUND |

ASSESSORS MAP AND PARCEL



LICENSED LAND SURVEYOR
DATE 08-04-2003

PARKER SURVEY & ENGINEERING

ENGINEERS AND LAND SURVEYORS

13 HAMPTON RD. EXETER, NH 03833

SCALE: 1" = 20'

DATE: AUGUST 04, 2003

PROJECT: 202199